

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 201 KAR 35:020E

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(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the application, comprehensive examination, credential, renewal, penalty, reinstatement, duplicate credential, inactive status, and continuing education fees.

(b) The necessity of this administrative regulation: The necessity of this regulation is to advise the public, credential holders, and applicants of fees to be assessed.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The regulation is in conformity as KRS 309.0813(12), the authorizing statute, gives the board the ability to promulgate regulations regarding the establishment of fees.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation assists in the effective administration of the statutes by establishing the fees to be assessed for the application, comprehensive examination, credential, renewal, penalty, reinstatement, duplicate credential, inactive status, and continuing education.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment will change the existing administrative regulation by: (1) adding an application fee of fifty (50) dollars for a certified alcohol and drug counselor associate I and II; (2) decreasing the time to complete the examination required by the board from two (2) years to one (1) year; (3) deleting, as duplicative of other regulations, the fee for refiling the application form; (4) deleting a provision allowing credentialing fees for one credential to cover credentialing fees for other credentials obtained within three (3) years; (5) prohibiting the use of the titles temporary alcohol and drug counselor, certified alcohol and drug counselor associate I, and certified alcohol and drug counselor associate II for credential holders whose certification has canceled; (6) setting the renewal fee for a temporary registered alcohol and drug peer support specialist at fifty (50) dollars for a two (2) year period and the late renewal fee at \$100; (7) setting the renewal fee for a temporary certified alcohol and drug counselor, certified alcohol and drug counselor associate I, and certified alcohol and drug counselor associate II at \$100 for a two (2) year period; (7) setting the late renewal fee for a temporary certified alcohol and drug counselor, certified alcohol and drug counselor associate I, and certified alcohol and drug counselor associate II at \$150; (8) removing requirement from this regulation that credential holders complete ten (10) hours of continuing education for reinstatement; (9) adding certified alcohol and drug counselor associate I and II to the list of credential holders that may reinstate a canceled certificate; (10) removing requirement of twenty (20) hours of continuing education during a one (1) year period for reinstatement; (11) removing the requirement of twenty (20) hours of continuing education during the one (1) year period of cancellation to reinstate a license; (12) deleting the option for a duplicate ID Card; (13) deleting the fee for a duplicate ID card; (13) establishing the fee for reactivation of a registered temporary alcohol and drug peer support specialist, temporary certified alcohol and drug counselor, certified alcohol and drug counselor associate I, certified alcohol and drug counselor associate II credentials at fifty (50) dollars; (14) updating the board's address; and (15) adding the board's Web site address.

(b) The necessity of the amendment to this administrative regulation: The amendment is necessary to establish fees for credential holders and other services provided by the board.

(c) How the amendment conforms to the content of the authorizing statutes: The amendment conforms to the content of the authorizing statute, KRS 309.0813(12), which gives the board the ability to promulgate regulations regarding the establishment of fees.

(d) How the amendment will assist in the effective administration of the statutes: The amendment will assist in the effective administration of the statutes by establishing the fees to be assessed for the application, credential, renewal, penalty, reinstatement, duplicate credential, and inactive status for the alcohol and drug counselor associate I and II.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The board is unable to determine the exact number of persons who would be impacted by this regulation since the applications vary from month to month. Future applicants and persons credentialed by the board will be affected by this administrative regulation. As of February 1, 2021 there were 513 licensed clinical alcohol and drug counselors, 21 licensed clinical alcohol and drug counselor associates, 458 certified alcohol and drug counselors, 930 temporary certified alcohol and drug counselors, 95 temporary registered alcohol and drug peer support specialists, and 15 registered alcohol and drug peer support specialists.

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: Applicants and credential holders shall pay a fee associated with the credential or services sought.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: This amendment to the administrative regulation establishes new fees for the newly created credentials of alcohol and drug counselor associate I and II.

(c) As a result of compliance, what benefits will accrue to the entities: As a result of compliance, applicants and credential holders will know the fees associated with their credential and services provided.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: Initially, there is no additional cost to the administrative body to implement this administrative regulation.

(b) On a continuing basis: On a continuing basis, there is no additional cost to the administrative body to implement this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The board's operations are funded by fees paid by credential holders and applicants.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: The regulation establishes: an application fee of fifty (50) dollars for certified alcohol and drug counselor associate I and II; a renewal fee of fifty (50) dollars for a temporary registered alcohol and drug peer support specialist; a late renewal fee of \$100 for registration as a temporary registered alcohol and drug peer support specialist; a renewal fee of \$100 for certification as a certified alcohol and drug counselor associate I, a certified alcohol and drug counselor associate II, and a temporary certified alcohol and drug counselor; a late renewal fee of \$150 for a temporary certified alcohol and drug counselor, a certified alcohol and drug counselor associate I, and a certified alcohol and drug counselor associate II; a reinstatement fee of \$300 for a certified alcohol and drug counselor, certified drug and alcohol counselor associate II, and certified alcohol and drug counselor associate I; and a reactivation fee of fifty (50) dollars for a temporary certified alcohol and drug counselor, certificate as a certified alcohol and drug counselor associate I, and certificate as a certified alcohol and drug counselor associate II.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation established directly or indirectly the following fees: an application fee of fifty (50) dollars for certified alcohol and drug counselor associate I and II; a renewal fee of fifty (50) dollars for a temporary registered alcohol and drug peer support specialist; a late renewal fee of \$100 for registration as a temporary registered alcohol and drug peer support specialist; a renewal fee of \$100 for certification as a certified alcohol and drug counselor associate I, a certified alcohol and drug counselor associate II, and a temporary certified alcohol and drug counselor; a late renewal fee of \$150 for a temporary certified alcohol and drug counselor, a certified alcohol and drug counselor associate I, and a certified alcohol and drug counselor associate II; a reinstatement fee of \$300 for a certified alcohol and drug counselor, certified drug and alcohol counselor associate II, and certified alcohol and drug counselor associate I; and a reactivation fee of fifty (50) dollars for a temporary certified alcohol and drug counselor, certificate as a certified alcohol and drug counselor associate I, and certificate as a certified alcohol and drug counselor associate II.

(9) TIERING: Is tiering applied? Explain why or why not. Tiering was not applied as the criteria apply to all credential holders.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

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(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Kentucky Board of Alcohol and Drug Counselors.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 309.0813(1), (12), 309.083, 309.0831, 309.0832, 309.0833(1)(a), 309.084, 309.0841, 309.0842, and 309.085.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? The board is unable to determine how much revenue this administrative regulation will generate for state or local government for the first year. The amendments to this administrative regulation: set an application fee of fifty (50) dollars for a certified alcohol and drug counselor associate I and II; set the renewal fee for a temporary registered alcohol and drug peer support specialist at fifty (50) dollars for a two (2) year period and the late renewal fee at \$100; set the renewal fee for a temporary certified alcohol and drug counselor, certified alcohol and drug counselor associate I, and certified alcohol and drug counselor associate II at \$100 for a two (2) year period; set the late renewal fee for a temporary certified alcohol and drug counselor, certified alcohol and drug counselor associate I, and certified alcohol and drug counselor associate II at \$150; delete the fee for a duplicate ID card; and establish the fee for reactivation of a registered temporary alcohol and drug peer support specialist, temporary certified alcohol and drug counselor, certified alcohol and drug counselor associate I, certified alcohol and drug counselor associate II credentials at fifty (50) dollars.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? The board is unable to determine how much revenue this administrative regulation will generate for state or local government on an ongoing basis. The amendments to this administrative regulation: set an application fee of fifty (50) dollars for a certified alcohol and drug counselor associate I and II; set the renewal fee for a temporary registered alcohol and drug peer support specialist at fifty (50) dollars for a two (2) year period and the late renewal fee at \$100; set the renewal fee for a temporary certified alcohol and drug counsel, certified alcohol and drug counselor associate I, and certified alcohol and drug counselor associate II at \$100 for a two (2) year period; set the late renewal fee for a temporary certified alcohol and drug counselor, certified alcohol and drug counselor associate I, and certified alcohol and drug counselor associate II at \$150; delete the fee for a duplicate ID card; and establish the fee for reactivation of a registered temporary alcohol and drug peer support specialist, temporary certified alcohol and drug counselor, certified alcohol and drug counselor associate I, certified alcohol and drug counselor associate II credentials at fifty (50) dollars.

(c) How much will it cost to administer this program for the first year? There will be no additional cost to administer this program.

(d) How much will it cost to administer this program for subsequent years? There will be no additional cost to administer this program.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(4) Revenues (+/-): Neutral

(5) Expenditures (+/-): Neutral

(6) Other Explanation: None